

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. )  
W. A. DREW EDMONDSON, in his capacity as )  
ATTORNEY GENERAL OF THE STATE OF )  
OKLAHOMA and OKLAHOMA SECRETARY )  
OF THE ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the TRUSTEE FOR NATURAL )  
RESOURCES FOR THE STATE OF OKLAHOMA, )

Plaintiff, )

vs. )

05-CV-0329 TCK-SAJ

TYSON FOODS, INC., TYSON POULTRY, INC., )  
TYSON CHICKEN, INC., COBB-VANTRESS, INC., )  
AVIAGEN, INC., CAL-MAINE FOODS, INC., )  
CAL-MAINE FARMS, INC., CARGILL, INC., )  
CARGILL TURKEY PRODUCTION, LLC, )  
GEORGE'S, INC., GEORGE'S FARMS, INC., )  
PETERSON FARMS, INC., SIMMONS FOODS, INC., )  
and WILLOW BROOK FOODS, INC., )

Defendants. )

TYSON FOODS, INC., TYSON POULTRY, INC., )  
TYSON CHICKEN, INC., COBB-VANTRESS, INC., )  
GEORGE'S, INC., GEORGE'S FARMS, INC., )  
PETERSON FARMS, INC., SIMMONS FOODS, INC., )  
and WILLOW BROOK FOODS, INC., )

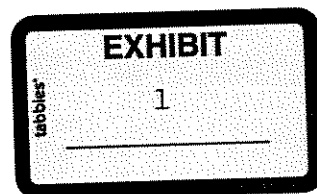
Third Party Plaintiffs, )

vs. )

City of Tahlequah, *et al.*, )

Third Party Defendants )

:



**AMENDED NOTICE OF DEPOSITION AND  
REQUEST FOR PRODUCTION OF DOCUMENTS TO  
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY**

**TO: Custodian of Records  
Oklahoma Department of Environmental Quality  
c/o David Riggs  
Riggs, Abney, Neal, Turpen, Orbison & Lewis  
502 West 6<sup>th</sup> Street  
Tulsa, Oklahoma 74119-1010**

You are hereby notified that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendants will take the oral deposition of the Custodian of Records for the Oklahoma Department of Environmental Quality at its offices located at 707 N. Robinson, Oklahoma City, Oklahoma 73102 on November 27, 2006, at 9:30 a.m. and continuing from day to day until completed, before an officer authorized by law to take deposition and administer oaths. The deposition is being taken for the purpose of discovery and for use at trial as well as for other purposes permitted by law.

You are further notified that the Oklahoma Department of Environmental Quality was commanded to produce for inspection and copying by Defendants certain documents as identified in the Request for Production of Documents, which was attached to the original Notice of Deposition served on September 18, 2006, at the time and place of this deposition.

Respectfully submitted by and on behalf of  
Defendants:

BY: 

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*Appearing Pro Hac Vice*

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**ATTORNEYS FOR PETERSON FARMS, INC.**

### **CERTIFICATE OF SERVICE**

I certify that on the 25<sup>th</sup> day of October, 2006, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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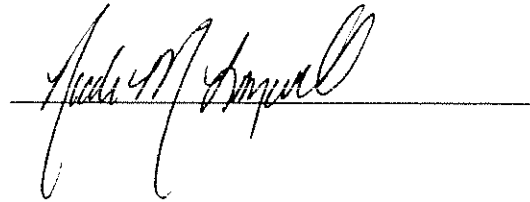
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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

C. Miles Tolbert  
Secretary of the Environment  
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CHICKEN, INC.; AND COBB-VANTRESS,  
INC.**

A handwritten signature in black ink, appearing to read "Thomas C. Green", is written over a horizontal line.